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September 24, 2014

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***BY ECF***

The Honorable James C. Francis  
United States Magistrate Judge  
United States Courthouse  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Nunez, et al., v. City of New York, et al.*, 11 Civ. 5845 (LTS) (JCF)

Dear Judge Francis:

This office, together with The Legal Aid Society Prisoners' Rights Project and Emery Celli Brinckerhoff & Abady, is counsel for the Plaintiff Class in this matter. Emery Celli Brinckerhoff & Abady, together with The Legal Aid Society Prisoners' Rights Project, also are counsel for the Plaintiffs in their individual damages claims. We write, jointly with counsel for The City of New York ("City"), to update the Court on our settlement discussions, and request an extension of the current Court-ordered deadlines related to class issues.

On September 22, 2014, Plaintiffs and the City entered into a memorandum of understanding with respect to many of the class-related issues in this action. Plaintiffs and the City agree that it would be most productive to now focus on a possible settlement of the class claims in this action. To that end, Plaintiffs and the City respectfully request that the extension granted on August 13, 2014 (Dkt. 162) be applied *nunc pro tunc* to cover the period from August 22, 2014 through September 22, 2014, and that the Court grant another 90-day stay, beginning September 22, 2014, of all Court-ordered deadlines related to class issues (subject to the right of Plaintiffs or the City to give the other notice that negotiations have failed and that litigation of the class claims will resume 30 days thereafter).

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We appreciate the Court's consideration.

Respectfully yours,



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ROPES & GRAY LLP

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*Counsel for Plaintiffs Rodney Brye,  
Shameik Smallwood, Travis Woods, and  
Oscar Sanders in their capacities as Class  
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cc: All counsel (by ECF)